

COMPLAINT TO THE FEDERAL ELECTION COMMISSION

FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2009 MAR 19 A 9 26

Ms. Thomasenia Duncan, General Counsel
Federal Election Commission
Office of the General Counsel
999 E Street, NW
Washington, DC 20463

MUR # 6180

March 13, 2009

**RE: Complaint against Chris John and Chris John for US Senate
for illegal use of corporate resources to assist his Federal campaign.**

The Complainant, Jeanne Broussard, hereby submits this Complaint, pursuant to 2 U.S.C.
§ 427(g) and 11 CFR Sec. 111.4, against Respondents Chris John and Chris John for US Senate
(FEC ID # C00394445).

Facts

Chris John is a former Member of the United States Congress who, as a Congressman,
voted for the Bipartisan Campaign Finance Reform Act (See Exhibit 1) and consequently is
presumed to know and understand the clear prohibition in Federal law against using corporate
funds to subsidize a campaign for Federal office. In 2004 Mr. John formed his principal
campaign committee, Chris John for US Senate, and waged an unsuccessful race for the United
States Senate.

On or about July 3, 2008, Mr. John used the corporate FedEx account of the Mid
Continent Oil & Gas corporation (located at 801 North Blvd. Ste 201, Baton Rouge, LA 70802-
5727) to pay for the overnight delivery of his required July Quarterly Federal Election
Commission ("FEC" or "Commission") Report to the Secretary of the US Senate. (See Exhibit 2)

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On or about October 7, 2008, Mr. John again used the Mid Continent Oil & Gas corporate FedEx account to pay for the overnight delivery of his required October Quarterly FEC Report to the Secretary of the US Senate. (See Exhibit 3) This October Quarterly Report does not indicate any in-kind contributions from Mid Continent Oil & Gas corporation on or about July 3, 2008, and does not indicate any expenditures by Chris Johns for US Senate or Mr. Johns personally to reimburse Mid Continent Oil & Gas for the corporate in-kind contribution made on or about July 3, 2008.¹

On or about January 12, 2009, Mr. John yet again used the Mid Continent Oil & Gas corporate FedEx account to pay for the overnight delivery of his required Year End 2008 FEC Report to the Secretary of the US Senate. (See Exhibit 4) This Year End 2008 Report again does not indicate any in-kind contributions from Mid Continent Oil & Gas corporation on or about October 7, 2008, and does not indicate any expenditures by Chris Johns for US Senate or Mr. Johns personally to reimburse Mid Continent Oil & Gas for the corporate in-kind contribution made on or about October 7, 2008²

¹ See <http://query.nictusa.com/pdf/891/28020491891/28020491891.pdf#navpanes=0>

² See <http://query.nictusa.com/cgi-bin/fecgifpdf2/>

Legal Analysis

One of the most basic rules of legal compliance for federal elections ~~in the United States~~ 2b
of America is that corporate contributions, whether direct or in-direct, are prohibited. This prohibition is almost a century old, and is of course codified in the Federal Election Campaign Act of 1971, as amended (the "Act"). The Act prohibits corporations from making contributions and expenditures in connection with any federal election. 2 U.S.C. § 441b(a). The Act defines contribution or expenditure to include "anything of value" to any candidate. 2 U.S.C. § 441b(b)(2). The cost of FedEx expedited overnight shipping is certainly something "of value" under the Act, and consequently the payment by Mid Continent Oil & Gas corporation for the cost of Mr. John and the Chris John for US Senate campaign's shipping costs must be treated - and reported³ - as an in-kind contributions to the Chris Johns for US Senate committee. It is not surprising, however, that Mr. John did not report these contributions, as doing so would expose a clear violation of the prohibition against corporate contributions found at 2 U.S.C. § 441b(a).

These clear violations of federal law were apparently not committed by a low-level staff member of the Chris John for US Senate committee, but instead by Mr. John himself. Under the Act, no person, including a political committee and/or a candidate, may knowingly accept or receive a corporate contribution. 2 U.S.C. § 441b(a). The return address blocks on Exhibits 2, 3 and 4 all appear to show that Mr. John personally is responsible for the use of Mid Continent Oil & Gas's resources for his campaign committee. It therefore would strain credibility for anyone to assert that Mr. John did not knowingly facilitate and accept a corporate contribution, in violation of 2 U.S.C. § 441b(a).

³ Under the Act, each report filed by a political committee must disclose contributions to, and disbursements by, the committee. 2 U.S.C. § 434(b).

Conclusion

I hereby respectfully request that the Commission investigate the crimes outlined above, mandate the full disclosure of any corporate in-kind contributions by Mid Continent Oil & Gas to Mr. John and his campaign committee, and penalize Mr. John and his committee accordingly for their violations of the law. Please note that these violations appear to a continuing, as well as knowing and willful, pattern of abuse. Although it is currently unclear whether the 3 violations attached as exhibits to this Complaint will trigger the thresholds for referring this matter to the U.S. Department of Justice, See 2 U.S.C. § 437g(d)(1)(B), there can be no doubt that these ongoing violations by Mr. John are knowing and willful, and therefore I encourage a referral if your investigation reveals violations that rise to the monetary threshold.


Jeanne Broussard, Complainant
P.O. Box 9822
New Iberia, LA 70562

State of Louisiana

Parish of Lafayette

Signed and sworn to (or affirmed) before me on March 16th, 2009

By: JEANNE BROUSSARD
Name(s) of Person(s)

Notary Public: David A. Delant #64901

My Commission Expires: at death

FINAL VOTE RESULTS FOR ROLL CALL 34(Republicans in roman; Democrats in *italic*; Independents underlined)

H R 2356 RECORDED VOTE 14-Feb-2002 2:42 AM

QUESTION: On Passage

BILL TITLE: Bipartisan Campaign Reform Act

	AYES	NOES	PRES	NV
REPUBLICAN	41	176		
DEMOCRATIC	198	12		
INDEPENDENT	1	1		
TOTALS	240	189		6

— AYES 240 —

<i>Abercrombie</i>	<i>Green (TX)</i>	<i>Napolitano</i>
<i>Ackerman</i>	<i>Greenwood</i>	<i>Neal</i>
<i>Allen</i>	<i>Grucci</i>	<i>Oberstar</i>
<i>Andrews</i>	<i>Gutierrez</i>	<i>Obey</i>
<i>Baca</i>	<i>Hall (OH)</i>	<i>Olver</i>
<i>Baird</i>	<i>Harman</i>	<i>Ortiz</i>
<i>Baldacci</i>	<i>Hastings (FL)</i>	<i>Osborne</i>
<i>Baldwin</i>	<i>Hill</i>	<i>Ose</i>
<i>Barrett</i>	<i>Hinchey</i>	<i>Owens</i>
<i>Bass</i>	<i>Hinojosa</i>	<i>Pallone</i>
<i>Becerra</i>	<i>Hoeffel</i>	<i>Pascrell</i>
<i>Bentsen</i>	<i>Holden</i>	<i>Pastor</i>
<i>Bereuter</i>	<i>Holt</i>	<i>Payne</i>
<i>Berkley</i>	<i>Honda</i>	<i>Pelosi</i>
<i>Berman</i>	<i>Hooley</i>	<i>Petri</i>
<i>Berry</i>	<i>Horn</i>	<i>Phelps</i>
<i>Bishop</i>	<i>Houghton</i>	<i>Platts</i>
<i>Blagojevich</i>	<i>Hoyer</i>	<i>Pomeroy</i>
<i>Bhumenauer</i>	<i>Inslee</i>	<i>Price (NC)</i>
<i>Boehlent</i>	<i>Israel</i>	<i>Quinn</i>
<i>Bonior</i>	<i>Jackson (IL)</i>	<i>Ramstad</i>
<i>Bono</i>	<i>Jackson-Lee (TX)</i>	<i>Rangel</i>
<i>Borski</i>	<i>Jefferson</i>	<i>Reyes</i>
<i>Boswell</i>	<i>John</i>	<i>Rivers</i>
<i>Boyd</i>	<i>Johnson (CT)</i>	<i>Rodriguez</i>
<i>Brady (PA)</i>	<i>Johnson (IL)</i>	<i>Roemer</i>
<i>Brown (FL)</i>	<i>Johnson, E. B.</i>	<i>Ros-Lehtinen</i>
<i>Brown (OH)</i>	<i>Jones (OH)</i>	<i>Ross</i>
<i>Capito</i>	<i>Kanjorski</i>	<i>Rothman</i>
<i>Capps</i>	<i>Kapur</i>	<i>Roybal-Allard</i>
<i>Capuano</i>	<i>Kennedy (RI)</i>	<i>Rush</i>

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2009 MAR 19 A

Cardin	Kildee	Sabo
Carson (IN)	Kilpatrick	Sanchez
Carson (OK)	Kind (WI)	Sanders
Castle	Kirk	Santorum
Clay	Kloczka	Sawyer
Clayton	Kucinich	Schakowsky
Clement	LaFalce	Schiff
Clyburn	Lampson	Serrano
Condit	Langevin	Shays
Conyers	Lantos	Sherman
Costello	Larsen (WA)	Simmons
Coyne	Larson (CT)	Stanton
Cramer	LaTourrette	Slaughter
Crowley	Leach	Smith (MI)
Cummings	Lee	Smith (WA)
Davis (CA)	Levin	Snyder
Davis (FL)	Lewis (GA)	Solis
Davis (IL)	LoBlundo	Spratt
DeFazio	Lofgren	Stark
DeGette	Lowey	Stenholm
Delahunt	Lucas (KY)	Strickland
DeLauro	Luther	Stupak
Deutsch	Lynch	Tanner
Dicks	Maloney (CT)	Tauscher
Dingell	Maloney (NY)	Taylor (MS)
Doggert	Markey	Thompson (CA)
Dooly	Mascara	Thune
Doyle	Matheson	Thurman
Edwards	Matsui	Tierney
Engel	McCarthy (MO)	Towns
Eshoo	McCarthy (NY)	Turner
Etheridge	McCollum	Udall (CO)
Evans	McDermott	Udall (NM)
Farr	McGovern	Upton
Fattah	McHugh	Velazquez
Ferguson	McIntyre	Vucelja
Filner	McKinney	Walsh
Foley	McNulty	Wamp
Ford	Meacham	Waters
Frank	Meek (FL)	Watson (CA)
Frothinghysen	Meeks (NY)	Watt (NC)
Frost	Menendez	Waxman
Ganske	Miller-McDonald	Weber
Gephardt	Miller, George	Weldon (PA)
Gilchrest	Mink	Wexler
Gillman	Moore	Wolf
Gonzalez	Moran (VA)	Woolsey
Gordon	Morella	Wu
Graham	Nadler	Wyun

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Aderholt	Goss	Pence
Akin	Granger	Peterson (MN)
Armey	Graves	Peterson (PA)
Bachus	Green (WI)	Pickering
Baker	Gutknecht	Pitts
Ballenger	Hall (TX)	Pombo
Barcia	Hansen	Portman
Barr	Hart	Pryce (OH)
Bartlett	Hastert	Putnam
Barton	Hastings (WA)	Radinovich
Biggert	Hayes	Rahall
Billirakis	Hayworth	Regula
Blunt	Heger	Reberg
Boehner	Hillery	Reynolds
Bonilla	Hilliard	Rogers (KY)
Boozman	Hobson	Rogers (MI)
Boucher	Hockstra	Rohrabacher
Brown (SC)	Hostettler	Royce
Bryant	Hulshof	Ryan (WI)
Burr	Hunter	Ryun (KS)
Burton	Hyde	Saxton
Buyer	Jackson	Schaffer
Callahan	Jass	Schrock
Calvert	Istock	Scott
Camp	Jenkins	Sensenbrenner
Cannon	Johnson, Sam	Sessions
Cantor	Jones (NC)	Shadegg
Chabot	Keller	Shaw
Chambliss	Kelly	Sherwood
Coble	Kennedy (MN)	Shinkus
Collins	Kerns	Shoos
Combest	King (NY)	Shuster
Cooksey	Kingston	Simpson
Cox	Knollenberg	Siscen
Crane	Kolbe	Smith (NJ)
Crenshaw	LaHood	Smith (TX)
Culberson	Largent	Souder
Cunningham	Latham	Stearns
Davis, Jo Ann	Lewis (CA)	Stump
Davis, Tom	Lewis (KY)	Sununu
Deal	Linder	Sweeney
DeLay	Lipinski	Tancredo
DeMint	Lucas (OK)	Tauzin
Diaz-Balart	Manzullo	Taylor (NC)
Doolittle	McCrery	Terry
Dreier	McInnis	Thomas
Duncan	McKeon	Thompson (MS)
Dunn	Mica	Thornberry

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 Ehrlich
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 Everett
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 Forbes
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Miller, Dan
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 Mollohan
 Moran (KS)
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 Wilson (NM)
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Brady (TX)
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Hefley
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NANCY ERICKSON
SECRETARY

PAMELA S. GARN
SUPERVISOR
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EXHIBIT 2

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FedEx. USA Airbill
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Silver Town

1420 CONTINENT OIL & GAS

FCI NORTH BLVD STE 201

LA 70802-5727

Your Natural History Museum

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Bureau of Land Management

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3. City: [Redacted]
4. State: [Redacted]
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9. Signature: [Redacted]
10. Title: [Redacted]

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☐ Editor ☐ Writer ☐ Columnist ☐ Critic

1. ☐ **Not a member**
 2. ☐ **Member**
 3. ☐ **Member**
 4. ☐ **Member**

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NANCY ERICKSON
SECRETARY

PAMELA S. GAYN
ADMINISTRATOR

U.S. SENATE OFFICE
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SHIPPING DATE

NEXT BUSINESS DAY DELIVERY

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10-07-08 X

UPS

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DHL

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AIRBORNE EXPRESS

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NO POSTMARK ☐

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Date of Receipt or Postmark

PREPARER

RD

DATE PREPARED

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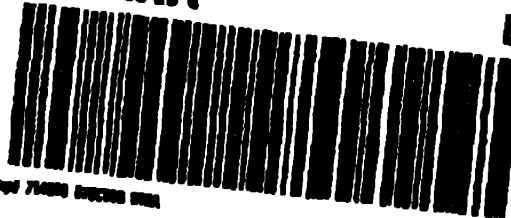
EXHIBIT 3

FedEx
8436 6255 2673

WED - 08 OCT A2
STANDARD OVERNIGHT

XC YKNA

20510
DCA



0001 714000 000000 0000

29044252146

The World On Fire

FedEx. USA Airbill

8436 6255 2673

NO POUCH NEEDED.
See back for post and other regulations

WLD CONTINENT OFL - GAS

801 NORTH BLVD STE 201

WATON ROUSE

LA 70802-9727



8436 6255 2673

02617403

28020481984

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SECRETARY

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USPS EXPRESS MAIL _____
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OVERNIGHT DELIVERY SERVICE:

	SHIPPING DATE	NEXT BUSINESS DAY DELIVERY
FEDERAL EXPRESS	01-12-09	<input checked="" type="checkbox"/>
UPS	_____	<input type="checkbox"/>
DHL	_____	<input type="checkbox"/>
AIRBORNE EXPRESS	_____	<input type="checkbox"/>

RECEIVED FROM FEDERAL ELECTION COMMISSION _____
Date of Receipt

POSTMARK ILLEGIBLE ☐ NO POSTMARK ☐

FAX _____
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Date of Receipt or Postmark

PREPARED RED DATE PREPARED 01-15-09

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What Is a Living Will?

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☐ ~~6. Phone~~
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☐ ~~9. Other~~
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☐ ~~11. Signature~~
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NO POUCH NEEDED.

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